

**MINUTES of REGULAR MEETING
of the BOARD of COMMISSIONERS
of the CITY of BOWLING GREEN, KENTUCKY
held OCTOBER 16, 2007**

The Board of Commissioners of the City of Bowling Green, Kentucky met in regular session in the Commission Chamber of City Hall, Bowling Green, Kentucky at 7:00 p.m. on October 16, 2007. Mayor Elaine N. Walker called the meeting to order. An invocation was given by Mayor Elaine N. Walker, and all present recited the Pledge of Allegiance. Assistant City Manager/City Clerk Katie Schaller called the roll, and the following members were present: Commissioner Joe W. Denning, Commissioner Brian "Slim" Nash, Commissioner Brian K. Strow, Commissioner Bruce Wilkerson and Mayor Elaine N. Walker. Absent: none. There was a full quorum of the Board of Commissioners.

OPERATION P.R.I.D.E. AWARDS

Operation P.R.I.D.E. Executive Director Karen Hume said that awards are presented to those that have made significant improvements to residential and non-residential property. For the month of October, Ms. Hume presented the commercial award to the Bowling Green Area Chamber of Commerce for its new building located at 710 College Street. Former Chamber of Commerce Board Chairman Rick Kelley accepted the award on behalf of the Chamber.

AWARDS & RECOGNITIONS

Mayor Walker announced that Code Enforcement Inspector David Herman received the 2007 Code Enforcement Officer of the Year Award from the American Association of Code Enforcement. She also announced that the City received an Enterprise Cities Award for the Bowling Green Housing Initiative and a Risk Management Award for the City's Worker's Compensation Program from the Kentucky League of Cities.

Mayor Walker recognized the area Women's Basketball Team USA that came home with the Gold Medal from the 2007 Special Olympics World Games held in Shanghai, China. She presented the Team with a Key to the City which would be displayed at the Parks and Recreation Community Center. Recreation Division Manager Brent Belcher introduced the coaches and athletes, and he thanked everyone for their support.

CITY MANAGER

City Manager Kevin D. DeFebbo recognized the efforts of Fire Apparatus Operator Brett Smith for his work on the Homeland Security grant application for funds to use toward the wireless project, referring to Municipal Order No. 2007 - 313. He also requested a closed session for the purpose of discussion on the future acquisition of real property by the City as publicity would likely affect the value of the specific piece of property to be acquired for public use, and for discussion of pending litigation on behalf of the City. Motion was made by Wilkerson and seconded by Denning to convene in closed session following the regular meeting pursuant to KRS 61.810 (b) and (c). Walker called for roll call vote.

ROLL CALL: Voting Yea: Denning, Nash, Strow, Wilkerson and Walker
Voting Nay: None

Motion to convene in closed session pursuant to KRS 61.810 (b) and (c) was approved by unanimous vote.

APPROVAL OF MINUTES

Minutes of Regular Meeting October 2, 2007

Minutes of the above-referenced meeting were distributed to the Board of Commissioners with the Agenda for their review. Motion was made by Nash and seconded by Strow to approve said minutes as written. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Strow, Wilkerson and Walker
Voting Nay: None

Motion to approve the minutes of the regular meeting of October 2, 2007 was approved by unanimous vote.

PUBLIC COMMENTS

Mayor Walker opened the floor for any public comments and there were none.

CONSENT AGENDA

Mayor Walker requested if there were any items to be removed from the Consent Agenda prior to its consideration. With none, Assistant City Manager/City Clerk Katie Schaller read the summaries of each of the following items:

MUNICIPAL ORDER NO. 2007 – 311

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE 2007 HOMELAND SECURITY GRANT PROGRAM IN THE AMOUNT OF \$85,601 FOR MDT'S FOR THE POLICE DEPARTMENT

MUNICIPAL ORDER NO. 2007 – 312

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE 2007 HOMELAND SECURITY GRANT PROGRAM IN THE AMOUNT OF \$204,553 FOR A REGIONAL MDT PROJECT

MUNICIPAL ORDER NO. 2007 – 313

MUNICIPAL ORDER AUTHORIZING THE ACCEPTANCE OF A

GRANT FROM THE KENTUCKY OFFICE OF HOMELAND SECURITY FOR THE 2007 HOMELAND SECURITY GRANT PROGRAM IN THE AMOUNT OF \$201,300 FOR A COMMUNICATIONS INFRASTRUCTURE PROJECT

MUNICIPAL ORDER NO. 2007 - 314

MUNICIPAL ORDER ACCEPTING AND AUTHORIZING THE MAYOR TO EXECUTE A GRANT AGREEMENT ON BEHALF OF THE CITY OF BOWLING GREEN WITH THE KENTUCKY JUSTICE AND PUBLIC SAFETY CABINET FOR FEDERAL VICTIMS OF CRIME ACT (VOCA) FUNDS FOR THE PARTIAL FUNDING OF A VICTIM ADVOCATE POSITION FOR THE POLICE DEPARTMENT INVESTIGATIONS UNIT IN THE AMOUNT OF \$32,500

Motion was made by Wilkerson and seconded by Nash for acceptance of the Consent Agenda as presented. With no discussion, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Strow, Wilkerson and Walker
 Voting Nay: None

Motion to accept the Consent Agenda as presented was approved by unanimous vote.

REGULAR AGENDA

ORDINANCE NO. BG2007 - 43
(Second Reading)

ORDINANCE APPROVING AMENDED AND RESTATED INTERLOCAL COOPERATION AGREEMENT RELATED TO THE INTER-MODAL COMMERCE AND DISTRIBUTION CENTER AND INDUSTRIAL PARK

ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED INTERLOCAL COOPERATION AGREEMENT AMONG THE CITY OF BOWLING GREEN, WARREN COUNTY, THE INTER-MODAL TRANSPORTATION AUTHORITY, INC. AND THE SOUTHERN KENTUCKY REGIONAL DEVELOPMENT AUTHORITY RELATED TO THE DEVELOPMENT, PROMOTION, ACQUISITION, DESIGN, CONSTRUCTION, OPERATION, MANAGEMENT AND/OR FINANCING OF AN INTER-MODAL COMMERCE AND DISTRIBUTION CENTER AND INDUSTRIAL PARK

Title and summary of Ordinance No. BG2007 - 43 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for second reading of said Ordinance. Prior to the vote, Darleen Nations of Warren County inquired about the cost and savings to the City with the issuance of the bonds and where the savings would go. Mayor Walker

responded about the minimized risk to the City. Comm. Strow also responded about the cost to the City. A roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Wilkerson and Walker
Voting Nay: Strow

Ordinance No. BG2007 - 43 was adopted by majority vote.

ORDINANCE NO. BG2007 - 44
(Second Reading)
ORDINANCE RENAMING STREET

ORDINANCE APPROVING THE RENAMING OF A PORTION OF
6TH AVENUE TO VETERANS MEMORIAL LANE

Title and summary of Ordinance No. BG2007 - 44 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Strow, Wilkerson and Walker
Voting Nay: None

Ordinance No. BG2007 - 44 was adopted by unanimous vote.

ORDINANCE NO. BG2007 - 45
(Second Reading)
ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING
0.671 ACRE FROM RS-1A (SINGLE FAMILY RESIDENTIAL) TO
OP-C (OFFICE PROFESSIONAL-COMMERCIAL) LOCATED AT
1120 SOUTH PARK DRIVE, WITH BINDING ELEMENTS,
PRESENTLY OWNED BY WILMA AVERY AND 1136 SOUTH
PARK, LLC, AS CONTRACT VENDEE

Title and summary of Ordinance No. BG2007 - 45 was read by the Assistant City Manager/City Clerk. Motion was made by Denning and seconded by Wilkerson for second reading of said Ordinance. Mayor Walker asked for discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Strow, Wilkerson and Walker
Voting Nay: None

Ordinance No. BG2007 - 45 was adopted by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 315

MUNICIPAL ORDER APPROVING THE PROBATIONARY
APPOINTMENT OF DANIEL SCOTT MCDONALD TO THE
POSITION OF COMMUNICATIONS DISPATCHER IN THE POLICE
DEPARTMENT

Summary of Municipal Order No. 2007 - 315 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for consideration of said Municipal

Order. DeFebbo reviewed the qualifications of the recommended applicant. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Strow, Wilkerson and Walker
 Voting Nay: None

Municipal Order No. 2007 - 315 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 – 316

MUNICIPAL ORDER APPROVING THE PROBATIONARY APPOINTMENT OF JOAN MARIE SNYDER TO THE POSITION OF SURVEYOR IN THE PUBLIC WORKS DEPARTMENT

Summary of Municipal Order No. 2007 - 316 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Nash for consideration of said Municipal Order. DeFebbo reviewed the qualifications of the recommended applicant. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Strow, Wilkerson and Walker
 Voting Nay: None

Municipal Order No. 2007 - 316 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 – 317

MUNICIPAL ORDER APPROVING A LEASE TERMINATION AGREEMENT AMONG WARREN COUNTY, THE BOWLING GREEN INDEPENDENT SCHOOL DISTRICT AND THE CITY OF BOWLING GREEN RELATED TO THE CLOSURE OF THE T.C. CHERRY POOL

Summary of Municipal Order No. 2007 - 317 was read by the Assistant City Manager/City Clerk. Motion was made by Strow and seconded by Denning for consideration of said Municipal Order. DeFebbo explained the need to release the property for a new school to be constructed. City Attorney Gene Harmon reviewed the lease agreement and the request by the School District for the termination of the lease.

Dan Higgins of 711 Nutwood Street, Frank Oros who recently located to the area, Darleen Nations of Warren County, Ed Kinser of Alvaton, and local resident Marie Quebecker expressed their concern with the closing of the pool and requested the City to provide a solution. Comm. Denning stated that this property belonged to the Bowling Green School system and that it needed the property to build a new school. He also commented about the County's current involvement with the operation of the T.C. Cherry Pool and further suggested that those expressing concern should talk to the school superintendents.

Mayor Walker stated that she understood the concerns, but that the City could not resolve all the problems. She challenged the community to work together to come up with a solution and asked anyone interested in helping to contact her. Ann Chapman came forward to request that this issue be the number one thing to be done by the City and stated that she was willing to help. Once all discussion ended, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Strow, Wilkerson and Walker
 Voting Nay: None
Municipal Order No. 2007 - 317 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 318

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2008-14 FOR THERMAL IMAGERS FROM BLUEGRASS
UNIFORMS, INC. OF BOWLING GREEN, KENTUCKY IN THE
AMOUNT OF \$299,268

Summary of Municipal Order No. 2007 - 318 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. DeFebbo indicated that recovered funds from the Davis Cooper restitution were being used to purchase the public safety equipment and he recommended the bid award. Deputy Fire Chief John Weatherbee and Dave Gallagher, the technical representative for thermal imaging for Total Fire Group, responded to questions regarding the specifications of the bid, the recommended type of equipment and local equipment dealers. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Strow, Wilkerson and Walker
 Voting Nay: None
Municipal Order No. 2007 - 318 was approved by unanimous vote.

MUNICIPAL ORDER NO. 2007 - 319

MUNICIPAL ORDER AUTHORIZING AND ACCEPTING BID
#2008-05 FOR VEHICLES FROM VARIOUS VENDORS IN THE
TOTAL AMOUNT OF \$375,258.15

Summary of Municipal Order No. 2007 - 319 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Denning for consideration of said Municipal Order. DeFebbo reviewed the annual bidding process. He noted that this year's purchases were primarily for the Police and Fire departments and he recommended the bid award. Fleet Manager Jon Lewis responded to a question regarding a disqualified vendor. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Strow, Wilkerson and Walker
 Voting Nay: None
Municipal Order No. 2007 - 319 was approved by unanimous vote.

ORDINANCE NO. BG2007 - 47
(First Reading)
ORDINANCE CLOSING A PUBLIC WAY

ORDINANCE APPROVING THE CLOSING OF A PUBLIC RIGHT-
OF-WAY KNOWN AS ALVATON ROAD

Title and summary of Ordinance No. BG2007 - 47 was read by the Assistant City Manager/City Clerk. Motion was made by Wilkerson and seconded by Strow for first reading of said Ordinance. City-County Planning Commission Director Steve Hunter reviewed the recommended street closing and responded to questions regarding the use of the property. Mayor Walker asked for additional discussion, and with none, a roll call vote was taken.

ROLL CALL: Voting Yea: Denning, Nash, Strow, Wilkerson and Walker
 Voting Nay: None

First reading of Ordinance No. BG2007 - 47 was approved by unanimous vote.

CLOSED SESSION

Following a brief recess to clear the Commission Chamber, the Board of Commissioners met in closed session pursuant to KRS 61.810 (b) and (c) as previously approved.

ADJOURNMENT

Once all discussion concluded in closed session and there being no further business to come before the Board of Commissioners, at approximately 8:25 p.m., Mayor Walker declared this meeting adjourned.

WORK SESSION

Prior to the regular meeting and with no action taken, the Board of Commissioners convened at 4:00 p.m. in the Commission Chamber of City Hall for a regular work session to discuss the following subjects: 1) presentation of the multi-year Capital Improvement Program for Fiscal Years 2007/2008 – 2009/2010; and 2) the alternative preliminary design recommended for the Old Morgantown Road Reconstruction Project. There was consensus by the Board of Commissioners to proceed with final design for the recommended (Alternative 1B) preliminary design of Old Morgantown Road.

ADOPTED: _____

APPROVED: _____
Mayor, Chairman of Board of Commissioners

ATTEST: _____
City Clerk

Minutes prepared by Assistant City Manager/City Clerk Katie Schaller